

**ORDINANCE NO. 21-O-47**

**An Ordinance Renaming and Amending Portions of Title 6, Chapter 4  
of the City Code of the City of Woodstock, McHenry County, Illinois,  
Pertaining to Monthly Tote Garbage Charges**

**WHEREAS**, the City of Woodstock, McHenry County, Illinois, (the "City") is a home rule municipality as contemplated under Article VII, Section 6, of the Constitution of the State of Illinois, and the passage of this Ordinance constitutes an exercise of the City's home rule powers and functions as granted in the Constitution of the State of Illinois; and

**WHEREAS**, it has been decided that billing for monthly tote service is in the best interest of the citizens of Woodstock; and

**WHEREAS**, the City is entering into a three-year extension with MDC Environmental Services ("MDC") to provide tote garbage service; and

**WHEREAS**, it necessary to adjust the rates the City of Woodstock charges its users of monthly tote garbage customers to reflect the changes in the new contract; and

**WHEREAS**, partly in exchange for reduced service charges to MDC, the City will be required to procure Porta-Potty or other comparable sanitary services for the City's parks through its own contractor rather than through MDC.

**NOW, THEREFORE, BE IT ORDAINED** by the City Council of the CITY OF WOODSTOCK, McHenry County, Illinois as follows:

**SECTION ONE:** Title 6, Chapter 4 of the City Code of the City of Woodstock, McHenry County, Illinois shall be renamed "Municipal Water, Sewer, Tote and Sanitary Facilities."

**SECTION TWO:** That Section 6.4D.16 of the City Code of the City of Woodstock, McHenry County, Illinois shall be renamed "Monthly Tote Garbage and Sanitary Facilities Charges."

**SECTION THREE:** That Section 6.4D.16.A.2 of the City Code of the City of Woodstock, McHenry County, Illinois is hereby deleted and shall be replaced with the following text:

2. Tote Service and Park Porta-Potty or other Sanitary Facilities Charges: In order to establish service charges which can reasonably be expected to yield revenues not in excess of tote garbage contract obligations (along with the cost to the City of providing Porta-Potty or other sanitary service to City facilities, which shall be added to the cost of tote garbage contract service charges) and the associated administrative costs of operation for those customers utilizing the weekly tote service for the collection and disposal of garbage, the charge shall be

twenty-four dollars and 54 cents (\$24.54) per month for each tote service billed by the City as of January 1, 2022. On January 1, 2023, and each successive January 1 thereafter until December 31, 2024, the monthly tote rate will increase by a percentage equal to the percentage increase over the prior twelve (12) month period of November to October reflected by the Consumer Price Index – All Urban Consumers, Garbage and Trash Collection Services, CUSR0000SEHG02 ("CPI"). In no event will the new rate be less than the rate then currently in effect.

**SECTION FOUR:** If any section, paragraph, subdivision, clause, sentence or provision of this Ordinance shall be adjudged by any Court of competent jurisdiction to be invalid, such judgment shall not affect, impair, invalidate or nullify the remainder thereof, which remainder shall remain and continue in full force and effect.

**SECTION FIVE:** That all Ordinances or parts of Ordinances in conflict herewith are hereby repealed to the extent of such conflict.

**SECTION SIX:** That this Ordinance shall be known as Ordinance Number 21-O-47 and shall be in full force and effect after its passage, approval, and publication in pamphlet form (which publication is hereby authorized) as provided by law.

Upon a motion by Darrin Flynn and seconded by Lisa Lohmeyer, passed this 7<sup>th</sup> day of September, 2021 by roll call vote as follows:

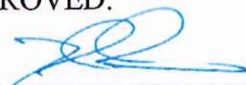
Ayes: Flynn, Lohmeyer, Nierman, Piersall, Seegers, Mayor Turner

Nays: None

Abstentions: None

Absentees: Tebo

APPROVED:

  
\_\_\_\_\_  
Mayor Michael Turner

(SEAL)

ATTEST: Cindy Smiley  
City Clerk, Cindy Smiley

By Chief Deputy City Clerk Jane Howie

Passed: 9/7/21  
Approved: 9/9/21  
Published: 9/9/21

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**ORDINANCE PASSED BY THE  
MAYOR AND CITY COUNCIL  
OF THE CITY OF WOODSTOCK**

**AT THEIR REGULAR MEETING ON SEPTEMBER 7, 2021  
PUBLISHED IN PAMPHLET FORM BY THE AUTHORITY OF  
THE CITY COUNCIL  
OF THE  
CITY OF WOODSTOCK**

**Mayor:**

**Michael Turner**

**City Council:**

**Darrin Flynn  
Lisa Lohmeyer  
Tom Nierman  
Wendy Piersall  
Bob Seegers, Jr  
Gordon Tebo**

**Clerk:**

**Cindy Smiley**

